

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:     WALTER H. TOMASCH  
          DBA: THE WALPAPER BARN

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 4-17-00899-JJT

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on March 31, 2017, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on March 7, 2017.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).

**- CHAPTER 13 PLAN**

- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

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CASE NO: 4-17-00899-JJT

**NOTICE**

The debtor(s) filed a Chapter13 Bankruptcy Petition on March 7, 2017.

The Standing Chapter 13 Trustee, Charles J. DeHart, III, has filed a Motion to Dismiss for failure to file the indicated document(s) below:

**- CHAPTER 13 PLAN**

A hearing with the Court has been scheduled for:

**Date:**            **April 28, 2017**  
**Time:**           **10:00 AM**  
**Location:**      **U.S. Courthouse and Federal Building**  
                      **Courtroom #1, 4th Floor**  
                      **240 West Third Street**  
                      **Williamsport, PA 17701**

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before:  
**April 14, 2017.** If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Dated: March 31, 2017

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**CERTIFICATE OF SERVICE**

I hereby certify that the Debtor and his/her counsel, have been served a copy of this Motion, Notice and Proposed Order by First Class Mail, unless served electronically, at the below address on March 31, 2017.

DONALD M. HAHN, ESQUIRE  
122 EAST HIGH STREET  
P.O. BOX 209  
BELLEFONTE, PA 16823-

WALTER H. TOMASCH  
118 WALTERS HAVEN LANE  
SPRING MILLS, PA 16875

Respectfully submitted,  
s/ Vickie Williams  
for Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Dated: March 31, 2017

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CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 4-17-00899-JJT

vs.

WALTER H. TOMASCH  
DBA: THE WALPAPER BARN

MOTION TO DISMISS

Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.